

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA
AT BECKLEY**

**MICHAEL D. ROSE, CHARLES
BLESSARD, ROBERT C. CHURCH, SR.,
NICOLE HENRY, EDWARD L.
HARMON, THOMAS FLEENOR, JR.,
WILLIAM BOWN, and TONYA
PERSINGER, on their own behalf and on
behalf of all others similarly situated,**

Plaintiffs,

v.

**Civil Action No. 5:22-cv-00405
Honorable Frank W. Volk**

JEFF S. SANDY, et al.,

Defendants.

COUNTY DEFENDANTS' MOTION FOR SUMMARY JUDGMENT

NOW COME, the Defendants, Greenbrier, Fayette, Mercer, Monroe, Raleigh, Summers, and Wyoming County Commissions, (hereinafter "County Defendants"), by their respective counsel, and hereby move this Court to enter summary judgment in their favor as to the claims of Plaintiffs. In support of their Motion, the County Defendants submit and incorporate herein their Memorandum of Law and exhibits filed contemporaneously herewith.

WHEREFORE, in light of the foregoing, Defendants, Greenbrier, Fayette, Mercer, Monroe, Raleigh, Summers, and Wyoming County Commissions, jointly pray that this Honorable Court **GRANT** this Motion and award these Defendants summary judgment, dismissing them from this action, and award these Defendants any and all other relief that is deemed just and proper.

**FAYETTE COUNTY COMMISSION,
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and, GREENBRIER COUNTY
COMMISSION,
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Defendants.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of foregoing *County Defendants'*
Motion for Summary Judgment was served upon the following parties through the Court's
Electronic Case Filing (ECF) system on this day, March 7, 2024:

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